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**From:** InsideEPA.com [insideepa-alerts@iwpnews.com]  
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**To:** Dunlap, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=591eb15a268249dda0c05a7451f765c3-Dunlap, Dav]  
**Subject:** The Morning Headlines from InsideEPA.com -- March 13, 2019



**REDEFINING EPA: Overhauling an agency and its mission -- Complete coverage**

March 13, 2019

**Latest News**

**States Renew Call For RMP-Style CWA Spill Regulation, Citing EPA Data**

State and local emergency response officials are renewing their call for EPA to promulgate an accident prevention rule to address chemical spills under the Clean Water Act (CWA), criticizing the agency's decision to

drop plans for such a rule as a dereliction of duty and arguing recently released EPA data does nothing to support the agency's decision.

### **GOP, Industry Reject Call For CFATS Data Sharing After EPA's RMP Rollback**

Republicans and the chemical industry are rejecting Democrats' calls to require industry to share data with first responders under the Department of Homeland Security's (DHS) Chemical Facility Anti-Terrorism Standards (CFATS) program, a step intended to fill the gap left by EPA's rollback of an Obama-era risk management plan (RMP) rule.

### **EPA's Revised Air Act Interpretation For E15 Waiver Creates Lawsuit Risk**

EPA's proposed waiver allowing year-round sales of 15 percent ethanol fuel (E15) relies on a revised interpretation of Clean Air Act fuel volatility restrictions that may face a legal challenge from oil sector opponents who say it contradicts the "clear language" of the law and the agency's repeated past interpretations of the limits.

### **DOJ Asks Courts To Avoid CWA Jurisdiction Suits Amid Policy 'Patchwork'**

The Department of Justice is urging federal courts to avoid taking up cases on the scope of the Clean Water Act (CWA) until it finalizes a rule to narrow an Obama-era policy on the law's reach, even as the Trump administration continues to issue jurisdictional findings for waterbodies using a "patchwork" of varying standards.

### **ECOS Director Sees Larger State Role With EPA 'Cooperative Federalism'**

Don Welsh, executive director of the Environmental Council of the States (ECOS), sees the potential for states to play a larger role in environmental policy with EPA's push for "cooperative federalism" to delegate more decisionmaking to states, rather than previous years of what critics called "phantom delegation."

### **Suit Over EPA Vehicle 'Finding' Exacerbates Uncertainty In GHG Rule Rollback**

Ongoing litigation over EPA's determination that it must weaken Obama-era vehicle greenhouse gas rules could complicate the agency's broader plan to roll back the limits, though even an adverse ruling for EPA would not necessarily deal a fatal blow to the agency's rollback, observers say.

### **In Rare Fight, EPA Attacks Texas Bid To 'Rewrite' NAAQS Finding Process**

EPA is opposing Texas' effort to "rewrite" Clean Air Act mandates on how to define when areas fail to meet national ambient air quality standards (NAAQS), in a lawsuit that marks a rare fight between the state and the Trump administration whose deregulatory agenda has largely reflected Texas' approach to environmental policy.

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## **Daily Feed**

### **Court poised to weigh EPA decision to drop mine cleanup rule**

The suit tests a Trump EPA decision abandoning an Obama-era proposal that would have set financial assurance requirements for the mining sector.

### **OMB clears first-time TSCA rule limiting existing chemical**

EPA's rule marks the first time the agency has regulated an existing chemical since Congress revised TSCA in 2016 but critics say the narrow measure fails to protect workers.

### **Wheeler promotes 'cleaner' US fossil fuel exports**

The EPA chief says the United States produces fossil fuels "in a more environmentally conscious manner than anywhere else in the world," though critics are pointing to numerous Trump EPA environmental rollbacks.

### **Ewire: Wheeler confirms EPA will preempt California vehicle rules**

In today's Ewire: "In order to have a 50-state solution, we have to take care of the waiver," the EPA chief said, confirming expectations that the agency would preempt California's vehicle greenhouse gas regulatory authority.

### Environmentalists detail issues in ozone implementation suit

Environmentalists are planning to test familiar issues, including provisions allowing "trading" of ozone precursors and flexibility for states to choose "baseline years" from which to measure progress.

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